

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Norfolk Division**

**DOUGLAS I. HORNSBY, Administrator  
of the Estate of CYNTHIA GARY,**

**Plaintiff,**

**v.**

**Case No. 2:22cv427**

**UNITED STATES of AMERICA, et al.**

**Defendants.**

**CONSENT ORDER GRANTING DEFENDANT METRO MACHINE CORP.'S  
MOTION FOR JUDGEMENT ON THE PLEADINGS WITHOUT PREJUDICE**

This matter came before the Court on a Motion for Judgment on the Pleadings under Fed. R. Civ. P. 12(c) filed by Defendant Metro Machine Corp., d/b/a General Dynamics NASSCO-Norfolk (“NASSCO-Norfolk”). *ECF No. 95*.

As indicated by counsels’ endorsement below, NASSCO-Norfolk and the Plaintiff agree and consent that NASSCO-Norfolk’s motion should be granted, but that NASSCO-Norfolk should be dismissed without prejudice.

WHEREFORE, on request by the parties and it appearing to the Court appropriate to do so, the Court GRANTS NASSCO-Norfolk’s Motion for Judgment on the Pleadings, and Defendant NASSCO-Norfolk is dismissed from this case WITHOUT PREJUDICE, with the Plaintiff and NASSCO-Norfolk each bearing their own fees and costs incurred in connection with this action to date.

IT IS SO ORDERED

Entered this \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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United States District Judge

WE ASK FOR THIS:

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